

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicant has amended claims 1, 15, and 28. Support for the amendments can be found in at least paragraph [0041] of the present Specification. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-13 and 15-41 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-4, 8, 9, 11, 12, 15-18, 22, 23, 25, 26, 28-32, 36, 37, 39, and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Reiner, *et al.* (EP Patent No. EP0948168) ("Reiner") in view of Cooper, *et al.* (U.S. Patent Publication No. 2004/014927) ("Cooper") and Jenq, *et al.* (U.S. Patent Publication No. 2003/0063560) ("Jenq"). While not conceding that the cited references qualify as prior art, but instead to expedite prosecution, Applicant has chosen to respectfully disagree and traverse the rejection as follows. Applicant reserves the right, for example, in a continuing application, to establish that the cited references, or other references cited now or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed.

Applicant respectfully submits that claims 1-4, 8, 9, 11, 12, 15-18, 22, 23, 25, 26, 28-32, 36, 37, 39, and 40 are patentable because Reiner, Cooper, and Jenq, taken alone or in any permissible combination, fail to disclose, teach, or even suggest the elements of amended independent claims 1, 15, and 28. For example, Reiner, Cooper, and Jenq, taken alone or in any permissible combination, fail to disclose, teach, or even suggest "a network entity receiving ... information ... from a radio resource managing unit about the bandwidth on the wireless link that the bit transfer is currently allowed to use ... wherein the radio resource managing unit determines the bandwidth said bit transfer session is currently allowed to use over the wireless link" (*emphasis added*), as recited in amended independent claim 1. Amended independent claims 15 and 28 recite substantially similar elements. Since Reiner, Cooper, and Jenq, taken alone or in

any permissible combination, fail to disclose, teach, or suggest the elements of amended independent claims 1, 15, and 28, the independent claims and all claims dependent therefrom are patentable over Reiner, Cooper, and Jenq, taken alone or in any permissible combination. Applicant respectfully requests that the rejection be withdrawn.

Claims 5, 6, 19, 20, 33 and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Reiner, in view of Cooper, and Jenq and further in view of Wolfe, *et al.* (U.S. Patent No. 6,907,455) ("Wolfe"). While not conceding that the cited references qualify as prior art, but instead to expedite prosecution, Applicant has chosen to respectfully disagree and traverse the rejection as follows. Applicant reserves the right, for example, in a continuing application, to establish that the cited references, or other references cited now or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed.

Wolfe is not cited as disclosing, teaching, or suggesting any of the elements in independent claims 1, 15, and 28. Thus, Claims 5, 6, 19, 20, 33, and 34 are patentable at least due to their dependency on independent claims 1, 15, and 28. Applicant respectfully requests that the rejection be withdrawn.

Claims 7, 21, and 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Reiner, in view of Cooper, and Jenq, and further in view of Lee, *et al.* (U.S. Patent Publication No. 2003/0233453) ("Lee"). While not conceding that the cited references qualify as prior art, but instead to expedite prosecution, Applicant has chosen to respectfully disagree and traverse the rejection as follows. Applicant reserves the right, for example, in a continuing application, to establish that the cited references, or other references cited now or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed.

Lee is not cited as disclosing, teaching, or suggesting any of the elements of independent claims 1, 15, and 28. Thus, claims 7, 21, and 35 are patentable over Reiner, Cooper, Jenq, and Lee, taken alone or in any permissible combination, at least due to their dependency on amended independent claims 1, 15, and 28. Applicant therefore respectfully requests that the rejection be withdrawn.

Claims 10, 24, 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Reiner, in view of Cooper, and Jenq, and further in view of Walding, *et al.* (U.S. Patent No. 6,031,845) ("Walding"). While not conceding that the cited references qualify as prior art, but instead to expedite prosecution, Applicant has chosen to respectfully disagree and traverse the rejection as follows. Applicant reserves the right, for example, in a continuing application, to establish that the cited references, or other references cited now or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed. Walding is not cited as disclosing, teaching, or suggesting any of the elements of independent claims 1, 15, and 28. Thus, claims 10, 24, and 38 are patentable over Reiner, Cooper, Jenq, and Walding at least due to their dependency on amended independent claims 1, 15, and 28. Applicant therefore respectfully requests that the rejection be withdrawn.

Claims 13, 27, and 41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Reiner, in view of Cooper, and Jenq, and further in view of Holma, *et al.* (U.S. Patent Publication No. 2002/0136192) ("Holma"). While not conceding that the cited references qualify as prior art, but instead to expedite prosecution, Applicant has chosen to respectfully disagree and traverse the rejection as follows. Applicant reserves the right, for example, in a continuing application, to establish that the cited references, or other references cited now or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed. Holma is not cited as disclosing, teaching, or suggesting any of the elements in amended independent claims 1, 15, and 28. Thus, claims 13, 27, and 41 are patentable over Reiner, Cooper, Jenq, and Holma, taken alone or in any permissible combination, at least due to their dependency on amended independent claims 1, 15, and 28. Applicants therefore respectfully request that the rejections be withdrawn.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

/ Ronald S. Liu; Reg. No. 64,170 /

Ronald S. Liu
Registration No. 64,170

Date: August 9, 2010

Ericsson Inc.
6300 Legacy Drive, M/S EVR 1-C-11
Plano, Texas 75024

(972) 583-8512
ronald.liu@ericsson.com